

LAW OFFICES OF KERMITT L. WATERS

Kermitt L. Waters, Esq., Bar No. 2571
 info@kermittwaters.com
 Charles E. Springer, of Counsel, Bar No. 1019
 James J. Leavitt, Esq., Bar No. 6032
 jim@kermittwaters.com
 Michael A. Schneider, Esq., Bar No. 8887
 michael@kermittwaters.com
 Autumn L. Waters, Esq., Bar No. 8917
 autumn@kermittwaters.com
 704 South Ninth Street
 Las Vegas, Nevada 89101
 Telephone: (702) 733-8877
 Facsimile: (702) 731-1964

Attorneys for Defendant

GROOM MINE LANDOWNERS

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
 Plaintiffs,)
)
 vs.)
)
 400 ACRES OF LAND, MORE OR LESS,)
 SITUATE IN LINCOLN COUNTY, STATE OF)
 NEVADA; and JESSIE J. COX., et al.)
)
 Defendant.)

Case No.: 2:15-cv-01743-MMD-NJK

ORDER TO RELEASE FUNDS

Defendant Landowners' Motion to Release Funds on Deposit, the United States' Response to Certain Landowners' Motion to Release Funds on Deposit and the Defendant Landowners' Reply in Support of Motion to Release Funds on Deposit having come before this Court and after reading the pleadings and papers submitted therewith the Court hereby finds that the moving defendants have demonstrated that eighty five percent (85%) of the deposit should be distributed to the moving defendants. Therefore, the Defendants' Motion to Release Funds on Deposit is **GRANTED**.

Accordingly, it is hereby **ORDERED** that:

- 1) The Clerk of Court shall issue a check in the amount of **One Million Twenty Thousand Dollars** (\$1,020,000.00) made payable to the Law Offices of Kermitt L. Waters and that the

1 same shall be released to the Law Offices of Kermitt L. Waters, forthwith.

2 2) Upon disbursement of said funds:

3 (a) The moving Defendants shall be liable for any valid claims by other interested parties
4 if it is ultimately determined that the moving Defendants are entitled to less than the amount
5 disbursed, and if so the moving Defendants shall return the difference to the Court with
6 interest; and

7 (b) The moving Defendants shall pay and discharge in full all taxes, assessments, liens and
8 encumbrances against the property in existence as of the date of taking.

9 (c) The United States shall be held harmless from the claims of any and all parties having
10 liens or encumbrances and any other parties who may be entitled to the distributed funds or
11 any part thereof by virtue of any recorded or unrecorded agreement.

12
13 IT IS SO ORDERED

14 

15 _____
16 UNITED STATES DISTRICT JUDGE

17
18 DATED: March 9, 2016
19 _____

20 *Respectfully Submitted by:*

21 **LAW OFFICES OF KERMIT L. WATERS**

22 By: /s/ Autumn Waters

23 KERMIT L. WATERS, ESQ.
24 JAMES JACK LEAVITT, ESQ.
25 MICHAEL A. SCHNEIDER, ESQ.
26 AUTUMN WATERS, ESQ.

Approved as to Content and Form:

21 **UNITED STATES OF AMERICA**
22 DANIEL G. BODEN
23 United States Attorney

24 /s/ Georgia Garthwaite
25 GEORGIA GARTHWAITE, ESQ.

26 **GUNDERSON LAW FIRM**

27 /s/ John R. Funk
28 MARK H. GUNDERSON, Esq.
JOHN R. Funk, Esq.